

LEGISLATIVE HISTORY CHECKLIST

NJSA: 39:4-183.1a

(Traffic lights--allow installation near school without approval of commission)

LAWS OF: 1984

CHAPTER: 219

Bill No: S44

Sponsor(s): Weiss

Date Introduced: Pre-filed

Committee: Assembly: Transportation and Communication

Senate: County and Municipal Government

Amended during passage: Yes according to Governor's recommendations

Amendments denoted by asterisks

Date of Passage:

Assembly: June 28, 1984

Senate: May 14, 1984

Date of Approval: December 20, 1984

Following statements are attached if available:

Sponsor statement:

Yes (Below)

Committee statement:

Assembly

Yes

Senate

Yes

Fiscal Note:

No

Veto Message:

Yes

Message on Signing:

~~No~~ Yes

Following were printed:

Reports:

No

Hearings:

No

Sponsor's statement:

This bill allows municipalities to install traffic control devices and signs at intersections located within 300 feet of a school, without having to obtain the approval of the Commissioner of Transportation.

(OVER)

DO NOT REMOVE FROM LIBRARY
REPRODUCTION COPY

Standards prescribed by Manual of Uniform Traffic Control Devices for Streets and Highways, see

TD2.8: United States. National Advisory Committee on Uniform Traffic Control
T67/978 Devices.
Manual on uniform traffic control devices for streets and highways.
1978-(Washington) Dept. of Transportation, Federal Highway Administration.

[SECOND OFFICIAL COPY REPRINT]

SENATE, No. 44

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1984 SESSION

By Senator WEISS

AN ACT concerning the installation of traffic control devices and signs by municipalities at school crossing intersections, and supplementing chapter 4 of Title 39 of the Revised Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. Notwithstanding any law to the contrary, ***[no ordinance**
2 **adopted by any]*** *a* municipality ***[providing]*** *may, upon the*
3 *request of the appropriate board of education or, in the case of a*
4 *private school, by the school's governing body, provide by ordi-*
5 *nance** for the installation of a traffic control device or sign con-
6 sistent with the ****[specifications of chapter 4 of Title 39 of the**
7 **Revised Statutes]**** *current standards prescribed by the Manual*
8 *of Uniform Traffic Control Devices for Streets and Highways as*
9 *adopted by the Commissioner of Transportation***, to regulate
10 motor vehicle traffic at an intersection located within 300 feet of any
11 public or private school****[.]**** *shall require]** ****[with-**
12 **out*** the approval of the Commissioner of the Department of
13 Transportation or of any other State officer or employee*, *pro-*
14 *vided that the municipal engineer shall, under his seal as a licensed*
15 *professional engineer, certify to the commissioner that any in-*
16 *stallation: (1) has been approved by him after investigation by*
17 *him of the circumstances, (2) appears to him to be in the interest*
18 *of safety and the expedition of traffic on the public highways and*
19 *(3) conforms to the current standards prescribed by the Manual*
20 *of Uniform Traffic Control Devices for Streets and Highways as*

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter printed in italics thus is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

***—Senate committee amendments adopted April 30, 1984.**

****—Senate amendments adopted in accordance with Governor's recommendations September 20, 1984.**

21 adopted by the Commissioner of Transportation. The municipal
22 engineer shall submit to the commissioner, together with his certi-
23 fication, detailed information as to the location of streets, inter-
24 sections and signs affected by any installation, a statement of the
25 reasons for his decision, a certified copy of the adopted municipal
26 ordinance, traffic court, accident and speed sampling data when
27 appropriate and any other information as the commissioner may
28 require.】** **Before an ordinance shall take effect, however, the
29 governing body shall submit a copy of the ordinance to the Commis-
30 sioner of Transportation for his review and approval together with
31 detailed information as to the location of streets, intersections and
32 signs affected by any installation, traffic court, accident and speed
33 sampling data when appropriate and any other information as the
34 commissioner may require. If the commissioner disapproves the
35 ordinance, he shall file his disapproval, in writing, with a statement
36 of the reasons for his disapproval, with the governing body within
37 90 days following the receipt of the ordinance. If the commissioner
38 approves the ordinance or fails to file his disapproval within the
39 90-day review period, the ordinance shall take effect immediately.**

40 For the purposes of this section, the term "public or private
41 school" has the meaning that term is given in N. J. S. 18A:1-1*.

42 **【Any person who disregards the direction of a traffic control
43 device or sign erected pursuant to this act shall be liable to the same
44 penalties imposed by law for the disregard of a traffic control
45 device or sign approved by the commissioner or other State
46 officer.】**

1 2. This act shall take effect immediately.

SENATE, No. 44

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1984 SESSION

By Senator WEISS

AN ACT concerning the installation of traffic control devices and signs by municipalities at school crossing intersections, and supplementing chapter 4 of Title 39 of the Revised Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. Notwithstanding any law to the contrary, no ordinance adopted
2 by any municipality providing for the installation of a traffic con-
3 trol device or sign consistent with the specifications of chapter 4
4 of Title 39 of the Revised Statutes, to regulate motor vehicle traffic
5 at an intersection located within 300 feet of any public or private
6 school, shall require the approval of the Commissioner of the De-
7 partment of Transportation or of any other State officer or em-
8 ployee. Any person who disregards the direction of a traffic control
9 device or sign erected pursuant to this act shall be liable to the
10 same penalties imposed by law for the disregard of a traffic control
11 device or sign approved by the commissioner or other State officer.

1 2. This act shall take effect immediately.

STATEMENT

This bill allows municipalities to install traffic control devices and signs at intersections located within 300 feet of a school, without having to obtain the approval of the Commissioner of Transportation.

ASSEMBLY TRANSPORTATION AND COMMUNICATIONS
COMMITTEE

STATEMENT TO
SENATE, No. 44
[OFFICIAL COPY REPRINT]

STATE OF NEW JERSEY

DATED: JUNE 13, 1984

This bill would supplement chapter 4 of Title 39 of the Revised Statutes to authorize municipalities to provide by ordinance for the installation of traffic control devices, or signs, at intersections located within 300 feet of a school without having to obtain the approval of the Commissioner of Transportation or any other State officer or employee. The bill requires that an installation be requested by the appropriate Board of Education or by the school's governing body, in the case of a private school, and approved by the municipality's engineer.

The legislation further provides that the municipal engineer shall certify to the Commissioner of Transportation that the installation:

- (1) has been approved by the engineer after investigation by him of the circumstances,
- (2) appears to be in the interest of safety and expedition of traffic, and
- (3) conforms to the current standards presented by the Manual of Uniform Traffic Control Devices for Streets and Highways, as adopted by the Commissioner of Transportation.

In addition, the municipal engineer shall submit to the Commissioner, together with his certification, detailed information as to the location of streets, intersections and signs affected by any installation, a statement of the reasons for his decisions, a certified copy of the adopted municipal ordinance, traffic court, accident and speed sampling data when appropriate and any other information as the Commissioner may require.

SENATE COUNTY AND MUNICIPAL GOVERNMENT
COMMITTEE

STATEMENT TO

SENATE, No. 44

with Senate committee amendments

STATE OF NEW JERSEY

DATED: APRIL 19, 1984

Senate Bill No. 44 would supplement chapter 4 of Title 39 of the Revised Statutes to authorize municipalities to install traffic control devices, or signs, at intersections located within 300 feet of a school without having to obtain the approval of the Commissioner of Transportation or any other State officer or employee.

The bill was amended by the Senate County and Municipal Government Committee to require that an installation be requested by the appropriate Board of Education or by the school's governing body, in the case of a private school, and approved by the municipality's engineer, and to define the term "public or private school" as that term is defined in N. J. S. 18A:1-1.

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT

September 13, 1984

SENATE BILL NO. 44 (OCR)

To the Senate:

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I am returning Senate Bill No. 44 (OCR) with my objections, for reconsideration.

The intent of this bill is to provide a process for expediting the installation of traffic control devices and signs at intersections located within 300 feet of public or private schools. While I support the intent of this bill, I believe that its mechanism for review of municipal ordinances in this area can be improved.

It is important to provide an outside review to ensure that the proposed solutions to problems that exist regarding traffic near schools are sound and reasonable. Moreover, experience has shown that proposals for traffic signals that at first seem to be in the public interest often may be ineffective or even detrimental to pedestrian and motorist safety when they are examined in detail by professional traffic engineers.

Accordingly, I am recommending that the Commissioner of Transportation review municipal ordinances adopted under the provisions of this bill. In order to ensure that this review is timely and thorough, I am recommending that the Commissioner be required to disapprove any ordinance he finds to be improper or deficient within 90 days and that he provide the municipality with written reasons for his disapproval. This review mechanism would render the municipal engineer's certification unnecessary, and I am recommending that this provision be deleted from the bill.

I am also proposing technical amendments to conform the language of the bill to these recommendations.

Therefore, I herewith return Senate Bill No. 44 (OCR) and recommend that it be amended as follows:

Page 1, Section 1, Lines 6-7: Delete "specifications of chapter 4 of Title 39 of the Revised Statutes" insert "current standards prescribed by the Manual of Uniform Traffic Control Devices for Streets and Highways as adopted by the Commissioner of Transportation"

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT

2

Page 1, Section 1, Line 8: Delete ", " insert "."

Pages 1-2, Section 1, Lines 9-25: Delete entirely. Insert "Before an ordinance shall take effect, however, the governing body shall submit a copy of the ordinance to the Commissioner of Transportation for his review and approval together with detailed information as to the location of streets, intersections and signs affected by any installation, traffic count, accident and speed sampling data when appropriate and any other information as the commissioner may require. If the commissioner disapproves the ordinance, he shall file his disapproval, in writing, with a statement of the reasons for his disapproval, with the governing body within 90 days following the receipt of the ordinance. If the commissioner approves the ordinance or fails to file his disapproval within the 90-day review period, the ordinance shall take effect immediately."

Page 2, Section 1, Lines 28-31: Delete entirely.

Respectfully,
/s/ Thomas H. Kean
GOVERNOR

[seal]

Attest:

/s/ W. Cary Edwards
Chief Counsel



OFFICE OF THE GOVERNOR NEWS RELEASE

CN-001

Contact: PAUL WOLCOTT
609-292-8956

TRENTON, N.J. 08625

Release: FRIDAY, DEC. 21, 198

Governor Thomas H. Kean has signed legislation which allows a municipality to install traffic control devices at intersections within 300 feet of a school without having to first obtain permission from the Commissioner of the Department of Transportation.

The bill, S-44, was sponsored by State Senator Laurence S. Weiss, D-Middlesex. It requires the municipal engineer to certify that the installation has been investigated and approved, that it conforms to the standards set forth in the Manual of Uniform Traffic Control Devices for Streets and Highways, and that the installation was made in the interest of safety.

The Governor also signed the following bills:

S-270, sponsored by State Senator Garrett W. Hagedorn, R-Bergen, which increases from \$4500 to \$7500 the advertised bidding threshold on public contracts for the Passaic Valley Sewerage Commission. The bill was originally the subject of a conditional veto in which the Governor recommended an amendment to bring the bill into line with similar laws by permitting future adjustments to be made by the Governor in consultation with the Treasurer, but without need for further legislation.

A-789, sponsored by Assembly Speaker[†] Alan J. Karcher, D-Middlesex, which gives nurses employed at Roosevelt Hospital in Middlesex County an opportunity to purchase State pension credit for time served prior to being made a permanent Civil Service employee. The bill was originally conditionally vetoed to make technical changes.

#